

Cal/EPA's Comments to Yuba County Environmental Health's Status Report

CUPA: Yuba County Environmental Health

Date of Evaluation: August 23 and 24, 2005

State Evaluation Team:

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Deficiency and Corrective Action Status Report

- 4. (The remaining deficiency is number 4, Cal/EPA has determined that all other deficiencies have been corrected)**

Deficiency 4: The CUPA's Inspection and Enforcement Program Plan has not been fully implemented. In some instances, the CUPA has exhausted all informal enforcement options and has not continued with formal enforcement as described in their plan's graduated series of enforcement actions.

Corrective Action Status: Update 2 sent via e-mail on September 1, 2006, "This e-mail is to give you [Cal/EPA] an update on the status for completing the corrective actions for the final deficiency (finding #4) of the August 2005 evaluation. This finding was to complete an Inspection and Enforcement Plan. This was originally scheduled to be completed by August, however due to unforeseen enforcement action in late August and carrying into early September I [Yuba County Environmental Health] have been unable to get enough time to complete this finding. Currently the Inspection portion of the plan is completed and is being followed as a draft document. The Enforcement portion is approximately 20% completed and outlines the initial enforcement stages from the routine or complaint inspection, to a compliance inspection that is charged as an hourly fee/penalty to bring a facility into compliance. The next sections will describe increased levels of enforcement including referral to the DA or circuit prosecutor or the procedures for the AEO process.

I [Yuba County Environmental Health] expect the time required to be nearly two weeks of relatively quiet time, and I [Yuba County Environmental Health] should see this in the last weeks of September. I [Yuba County Environmental Health] expect to be following the

procedures of the full draft plan for both inspection and enforcement by October. This draft will then go to County Counsel for review, which takes a minimum of 28 working days. At that time I [Yuba County Environmental Health] will make any necessary corrections to the plan for finalization. This being the case, I am [Yuba County Environmental Health] looking at a working draft by October and a final plan by early November.”

Cal/EPA Comments: Cal/EPA is satisfied with the progress Yuba County Environmental Health is making towards correcting deficiency number 4. Cal/EPA considers this corrective action in progress. Provide Cal/EPA with a copy of the final approved plan by November 30, 2006. Additionally, provide Cal/EPA with documentation, showing or explaining, how Yuba County Environmental Health is implementing the approved Inspection and Enforcement Program Plan. Cal/EPA looks forward to reviewing Yuba County Environmental Health’s next quarterly status report that is due November 30, 2006. Please include the aforementioned information in this report.